

THE STATE SCHOOL AID ACT OF 1979 (EXCERPT)
Act 94 of 1979

ARTICLE II
STATE AID TO COMMUNITY COLLEGES

388.1801 Appropriations; community colleges.

Sec. 201. (1) Subject to the conditions set forth in this article, the amounts listed in this section are appropriated for community colleges for the fiscal year ending September 30, 2017, from the funds indicated in this section. The following is a summary of the appropriations in this section:

(a) The gross appropriation is \$395,925,600.00. After deducting total interdepartmental grants and intradepartmental transfers in the amount of \$0.00, the adjusted gross appropriation is \$395,925,600.00.

(b) The sources of the adjusted gross appropriation described in subdivision (a) are as follows:

(i) Total federal revenues, \$0.00.

(ii) Total local revenues, \$0.00.

(iii) Total private revenues, \$0.00.

(iv) Total other state restricted revenues, \$260,414,800.00.

(v) State general fund/general purpose money, \$135,510,800.00.

(2) Subject to subsection (3), the amount appropriated for community college operations is \$315,892,000.00, allocated as follows:

(a) The appropriation for Alpena Community College is \$5,544,700.00, \$5,464,400.00 for operations and \$80,300.00 for performance funding.

(b) The appropriation for Bay de Noc Community College is \$5,560,900.00, \$5,490,200.00 for operations and \$70,700.00 for performance funding.

(c) The appropriation for Delta College is \$14,907,700.00, \$14,704,000.00 for operations and \$203,700.00 for performance funding.

(d) The appropriation for Glen Oaks Community College is \$2,586,900.00, \$2,551,100.00 for operations and \$35,800.00 for performance funding.

(e) The appropriation for Gogebic Community College is \$4,577,800.00, \$4,509,900.00 for operations and \$67,900.00 for performance funding.

(f) The appropriation for Grand Rapids Community College is \$18,450,500.00, \$18,187,300.00 for operations and \$263,200.00 for performance funding.

(g) The appropriation for Henry Ford College is \$22,176,000.00, \$21,893,300.00 for operations and \$282,700.00 for performance funding.

(h) The appropriation for Jackson College is \$12,397,600.00, \$12,245,300.00 for operations and \$152,300.00 for performance funding.

(i) The appropriation for Kalamazoo Valley Community College is \$12,873,900.00, \$12,689,400.00 for operations and \$184,500.00 for performance funding.

(j) The appropriation for Kellogg Community College is \$10,087,500.00, \$9,950,100.00 for operations and \$137,400.00 for performance funding.

(k) The appropriation for Kirtland Community College is \$3,270,000.00, \$3,221,500.00 for operations and \$48,500.00 for performance funding.

(l) The appropriation for Lake Michigan College is \$5,492,800.00, \$5,417,700.00 for operations and \$75,100.00 for performance funding.

(m) The appropriation for Lansing Community College is \$31,677,300.00, \$31,288,200.00 for operations and \$389,100.00 for performance funding.

(n) The appropriation for Macomb Community College is \$33,681,800.00, \$33,239,500.00 for operations and \$442,300.00 for performance funding.

(o) The appropriation for Mid Michigan Community College is \$4,834,100.00, \$4,757,700.00 for operations and \$76,400.00 for performance funding.

(p) The appropriation for Monroe County Community College is \$4,636,700.00, \$4,565,600.00 for operations and \$71,100.00 for performance funding.

(q) The appropriation for Montcalm Community College is \$3,343,100.00, \$3,280,600.00 for operations and \$62,500.00 for performance funding.

(r) The appropriation for C.S. Mott Community College is \$16,115,500.00, \$15,901,700.00 for operations and \$213,800.00 for performance funding.

(s) The appropriation for Muskegon Community College is \$9,150,600.00, \$9,020,700.00 for operations and \$129,900.00 for performance funding.

(t) The appropriation for North Central Michigan College is \$3,290,400.00, \$3,224,800.00 for operations and \$65,600.00 for performance funding.

(u) The appropriation for Northwestern Michigan College is \$9,318,000.00, \$9,200,500.00 for operations and \$117,500.00 for performance funding.

(v) The appropriation for Oakland Community College is \$21,770,900.00, \$21,429,400.00 for operations and \$341,500.00 for performance funding.

(w) The appropriation for Schoolcraft College is \$12,909,300.00, \$12,706,400.00 for operations and \$202,900.00 for performance funding.

(x) The appropriation for Southwestern Michigan College is \$6,732,500.00, \$6,657,600.00 for operations and \$74,900.00 for performance funding.

(y) The appropriation for St. Clair County Community College is \$7,259,300.00, \$7,158,000.00 for operations and \$101,300.00 for performance funding.

(z) The appropriation for Washtenaw Community College is \$13,534,000.00, \$13,301,100.00 for operations and \$232,900.00 for performance funding.

(aa) The appropriation for Wayne County Community College is \$17,234,200.00, \$16,989,800.00 for operations and \$244,400.00 for performance funding.

(bb) The appropriation for West Shore Community College is \$2,478,000.00, \$2,446,200.00 for operations and \$31,800.00 for performance funding.

(3) The amount appropriated in subsection (2) for community college operations is appropriated from the following:

(a) State school aid fund, \$185,481,200.00.

(b) State general fund/general purpose money, \$130,410,800.00.

(4) From the appropriations described in subsection (1), subject to section 207a, the amount appropriated for fiscal year 2016-2017 to offset certain fiscal year 2016-2017 retirement contributions is \$1,733,600.00, appropriated from the state school aid fund.

(5) From the appropriations described in subsection (1), subject to section 207b, the amount appropriated for payments to community colleges that are participating entities of the retirement system is \$73,200,000.00, appropriated from the state school aid fund.

(6) From the appropriations described in subsection (1), subject to section 207c, the amount appropriated for renaissance zone tax reimbursements is \$5,100,000.00, appropriated from general fund/general purpose money.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012;—Am. 2012, Act 465, Imd. Eff. Dec. 28, 2012;—Am. 2013, Act 60, Eff. Oct. 1, 2013;—Am. 2014, Act 196, Eff. Oct. 1, 2014;—Am. 2015, Act 5, Imd. Eff. Mar. 10, 2015;—Am. 2015, Act 85, Eff. Oct. 1, 2015;—Am. 2016, Act 249, Eff. Oct. 1, 2016.

388.1801a Appropriations for fiscal year ending September 30, 2018; adjustment of amounts.

Sec. 201a. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2018 for the items listed in section 201. The fiscal year 2017-2018 appropriations are anticipated to be the same as those for fiscal year 2016-2017, except that the amounts will be adjusted for changes in retirement costs, caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2017 consensus revenue estimating conference.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012;—Am. 2013, Act 60, Eff. Oct. 1, 2013;—Am. 2014, Act 196, Eff. Oct. 1, 2014;—Am. 2015, Act 85, Eff. Oct. 1, 2015;—Am. 2016, Act 249, Eff. Oct. 1, 2016.

388.1801b Repealed. 2013, Act 60, Eff. Oct. 1, 2013.

Compiler's note: The repealed section pertained to appropriation to participating community colleges of retirement system.

388.1802 Appropriations subject to MCL 18.1101 to 18.1594.

Sec. 202. All appropriations authorized under this article are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012.

388.1802a Definitions.

Sec. 202a. As used in this article:

(a) "Center" means the center for educational performance and information created in section 94a.

(b) "Michigan renaissance zone act" means the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696.

(c) "Participating college" means a community college that is a reporting unit of the retirement system and that reports employees to the retirement system for the state fiscal year.

(d) "Retirement board" means the board that administers the retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

(e) "Retirement system" means the Michigan public school employees' retirement system under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437.

(f) "Workforce development agency" means the workforce development agency within the department of talent and economic development--talent investment agency.

History: Add. 2012, Act 201, Eff. Oct. 1, 2012;—Am. 2014, Act 196, Eff. Oct. 1, 2014;—Am. 2016, Act 249, Eff. Oct. 1, 2016.

388.1803 Reporting requirements; use of Internet.

Sec. 203. Unless otherwise specified, a community college that receives appropriations in section 201, the workforce development agency, and the center shall use the Internet to fulfill the reporting requirements of this article. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on an Internet or Intranet site.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012;—Am. 2016, Act 249, Eff. Oct. 1, 2016.

388.1804 Goods or services provided by Michigan businesses; preference.

Sec. 204. Funds appropriated in section 201 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference should be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality. In addition, preference should be given to goods or services, or both, that are manufactured or provided by Michigan businesses that are owned and operated by veterans, if they are competitively priced and of comparable quality.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012.

388.1805 Businesses in deprived and depressed communities; contracts.

Sec. 205. The principal executive officer of each community college that receives appropriations in section 201 shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. Each principal executive officer shall strongly encourage businesses with which the community college contracts to subcontract with certified businesses in depressed and deprived communities for services or supplies, or both.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012.

388.1806 Monthly installments.

Sec. 206. The funds appropriated in section 201 are appropriated for community colleges with fiscal years ending June 30, 2017 and shall be paid out of the state treasury and distributed by the state treasurer to the respective community colleges in 11 monthly installments on the sixteenth of each month, or the next succeeding business day, beginning with October 16, 2016. Each community college shall accrue its July and August 2017 payments to its institutional fiscal year ending June 30, 2017. However, if the state budget director determines that a community college failed to submit all verified Michigan community colleges activities classification structure data for school year 2015-2016 to the center by November 1, 2016, or failed to submit its longitudinal data system data set for school year 2015-2016 to the center under section 219, the state treasurer shall withhold the monthly installments from that community college until those data are submitted. The state budget director shall notify the chairs of the house and senate appropriations subcommittees on community colleges at least 10 days before withholding funds from any community college.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012;—Am. 2013, Act 60, Eff. Oct. 1, 2013;—Am. 2014, Act 196, Eff. Oct. 1, 2014;—Am. 2015, Act 85, Eff. Oct. 1, 2015;—Am. 2016, Act 249, Eff. Oct. 1, 2016.

388.1807 Payment of employer's contribution to Michigan public school employees' retirement system; payment to more than 1 fund prohibited.

Sec. 207. (1) A community college shall pay the employer's contributions to the Michigan public school employees' retirement system created by the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1437. This payment is a condition of receiving funds appropriated under this article.

(2) A community college shall not pay an employer's contribution to more than 1 retirement fund providing benefits for an employee.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012;—Am. 2016, Act 249, Eff. Oct. 1, 2016.

388.1807a Allocations; use; basis.

Sec. 207a. All of the following apply to the allocation of the fiscal year 2016-2017 appropriations described in section 201(4):

(a) A community college that receives money under section 201(4) shall use that money solely for the purpose of offsetting a portion of the retirement contributions owed by the college for that fiscal year.

(b) The amount allocated to each participating community college under section 201(4) shall be based on each college's percentage of the total covered payroll for all community colleges that are participating colleges in the immediately preceding fiscal year.

History: Add. 2014, Act 196, Eff. Oct. 1, 2014;—Am. 2015, Act 85, Eff. Oct. 1, 2015;—Am. 2016, Act 249, Eff. Oct. 1, 2016.

388.1807b Payments to community colleges as participating entities of retirement system.

Sec. 207b. All of the following apply to the allocation of the fiscal year 2016-2017 appropriations described in section 201(5) for payments to community colleges that are participating entities of the retirement system:

(a) The amount of a payment under section 201(5) shall be the difference between the unfunded actuarial accrued liability contribution rate as calculated under section 41 of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341, and the maximum employer rate of 20.96% under section 41 of the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1341.

(b) The amount allocated to each community college under section 201(5) shall be based on each community college's percentage of the total covered payroll for all community colleges that are participating colleges in the immediately preceding fiscal year. A community college that receives funds under this subdivision shall use the funds solely for the purpose of retirement contributions under section 201(5).

(c) Each participating college that receives funds under section 201(5) shall forward an amount equal to the amount allocated under subdivision (b) to the retirement system in a form and manner determined by the retirement system.

History: Add. 2014, Act 196, Eff. Oct. 1, 2014;—Am. 2015, Act 85, Eff. Oct. 1, 2015;—Am. 2016, Act 249, Eff. Oct. 1, 2016.

388.1807c Allocation to community colleges described in MCL 125.2692.

Sec. 207c. All of the following apply to the allocation of the appropriations described in section 201(6) to community colleges described in section 12(3) of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692:

(a) The amount allocated to each community college under section 201(6) for fiscal year 2016-2017 shall be based on that community college's proportion of total revenue lost by community colleges as a result of the exemption of property taxes levied in 2016 under the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696.

(b) The appropriations described in section 201(6) shall be made to each eligible community college within 60 days after the department of treasury certifies to the state budget director that it has received all necessary information to properly determine the amounts payable to each eligible community college under section 12 of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692.

History: Add. 2014, Act 196, Eff. Oct. 1, 2014;—Am. 2015, Act 85, Eff. Oct. 1, 2015;—Am. 2016, Act 249, Eff. Oct. 1, 2016.

388.1808 Self-liquidating projects; compliance with JCOS requirements.

Sec. 208. A community college shall not use money appropriated in section 201 to pay for the construction or maintenance of a self-liquidating project. A community college shall comply with section 238 of the management and budget act, 1984 PA 431, MCL 18.1238, and with the current use and finance requirements of the joint capital outlay subcommittee (JCOS) for any construction, renovation, or other capital outlay projects pursuant to JCOS policy. The appropriation in section 201 for a community college that fails to comply with JCOS requirements shall be reduced by 1% for each violation.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012;—Am. 2013, Act 60, Eff. Oct. 1, 2013.

388.1809 Information to be available on website; icon badge; determination of compliance with section; report.

Sec. 209. (1) Within 30 days after the board of a community college adopts its annual operating budget for the following fiscal year, or after the board adopts a subsequent revision to that budget, the community college shall make all of the following available through a link on its website homepage:

(a) The annual operating budget and subsequent budget revisions.

(b) A link to the most recent "Activities Classification Structure Data Book and Companion".

(c) General fund revenue and expenditure projections for fiscal year 2016-2017 and fiscal year 2017-2018.
(d) A listing of all debt service obligations, detailed by project, anticipated fiscal year 2016-2017 payment of each project, and total outstanding debt.

(e) The estimated cost to the community college resulting from the patient protection and affordable care act, Public Law 111-148, as amended by the health care and education reconciliation act of 2010, Public Law 111-152.

(f) Links to all of the following for the community college:

(i) The current collective bargaining agreement for each bargaining unit.

(ii) Each health care benefits plan, including, but not limited to, medical, dental, vision, disability, long-term care, or any other type of benefits that would constitute health care services, offered to any bargaining unit or employee of the community college.

(iii) Audits and financial reports for the most recent fiscal year for which they are available.

(iv) A copy of the board of trustees resolution regarding compliance with best practices for the local strategic value component described in section 230(2).

(2) For statewide consistency and public visibility, community colleges must use the icon badge provided by the department of technology, management, and budget consistent with the icon badge developed by the department of education for K-12 school districts. It must appear on the front of each community college's homepage. The size of the icon may be reduced to 150 x 150 pixels.

(3) The state budget director shall determine whether a community college has complied with this section. The state budget director may withhold a community college's monthly installments described in section 206 until the community college complies with this section. The state budget director shall notify the chairs of the house and senate appropriations subcommittee on community colleges at least 10 days before withholding funds from any community college.

(4) Each community college shall report the following information to the senate and house appropriations subcommittees on community colleges, the senate and house fiscal agencies, and the state budget office by November 15 of each fiscal year and post that information on its website as required under subsection (1):

(a) Budgeted fiscal year 2016-2017 general fund revenue from tuition and fees.

(b) Budgeted fiscal year 2016-2017 general fund revenue from state appropriations.

(c) Budgeted fiscal year 2016-2017 general fund revenue from property taxes.

(d) Budgeted fiscal year 2016-2017 total general fund revenue.

(e) Budgeted fiscal year 2016-2017 total general fund expenditures.

(5) By November 15 of each year, a community college shall report the following information to the center and post the information on its website under the budget transparency icon badge:

(a) Opportunities for earning college credit through the following programs:

(i) State approved career and technical education or a tech prep articulated program of study.

(ii) Direct college credit or concurrent enrollment.

(iii) Dual enrollment.

(iv) An early college/middle college program.

(b) For each program described in subdivision (a) that the community college offers, all of the following information:

(i) The number of high school students participating in the program.

(ii) The number of school districts that participate in the program with the community college.

(iii) Whether a college professor, qualified local school district employee, or other individual teaches the course or courses in the program.

(iv) The total cost to the community college to operate the program.

(v) The cost per credit hour for the course or courses in the program.

(vi) The location where the course or courses in the program are held.

(vii) Instructional resources offered to the program instructors.

(viii) Resources offered to the student in the program.

(ix) Transportation services provided to students in the program.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012;—Am. 2013, Act 60, Eff. Oct. 1, 2013;—Am. 2014, Act 196, Eff. Oct. 1, 2014;—Am. 2015, Act 85, Eff. Oct. 1, 2015;—Am. 2016, Act 249, Eff. Oct. 1, 2016.

388.1810 Collaboration and cooperation with 4-year universities, local employers, students, and other community colleges; equivalency standards.

Sec. 210. (1) Recognizing the critical importance of education in strengthening Michigan's workforce, each community college is encouraged to explore ways of increasing collaboration and cooperation with 4-year universities, particularly in the areas related to training, instruction, and program articulation.

(2) Recognizing the central role of community colleges in responding to local employment needs and challenges, community colleges shall develop and continue efforts to collaborate with local employers and students to identify local employment needs and strategies to meet them.

(3) Community colleges are encouraged to collaborate with each other on innovations to identify and meet local employment needs.

(4) Community colleges are encouraged to work with universities to develop equivalency standards of core college courses and identify equivalent courses offered by postsecondary institutions.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012;—Am. 2013, Act 60, Eff. Oct. 1, 2013;—Am. 2015, Act 85, Eff. Oct. 1, 2015.

388.1810a Repealed. 2013, Act 60, Eff. Oct. 1, 2013.

Compiler's note: The repealed section pertained to transferability of core college courses between community colleges and public universities.

388.1810b Submission of report by Michigan Community College Association and Michigan Association of State Universities.

Sec. 210b. By March 1, 2017, the Michigan Community College Association and the Michigan Association of State Universities shall submit a report to the senate and house appropriations subcommittees on community colleges, the senate and house fiscal agencies, and the state budget director that includes all of the following:

(a) A progress report on the implementation of the Michigan transfer agreement developed by the study committee created under former section 210a, including an update on progress made on outstanding concerns identified in the March 1, 2016 implementation update.

(b) A report on improvements to articulation and credit transfer policies among and between all sectors of postsecondary education in this state. The report shall identify areas of progress since the March 1, 2016 report required by former section 210c, including all of the following:

(i) Identifying effective policies and practices developed by other states.

(ii) Developing specific pathways, where advisable, that meet program requirements for both associate's and bachelor's degree programs.

(iii) Creating an enhanced online communication tool to share information about postsecondary options in Michigan, particularly clearly articulating transfer pathways.

(iv) Establishing clear timelines for finalizing transfer pathways.

History: Add. 2013, Act 60, Eff. Oct. 1, 2013;—Am. 2014, Act 196, Eff. Oct. 1, 2014;—Am. 2015, Act 85, Eff. Oct. 1, 2015;—Am. 2016, Act 249, Eff. Oct. 1, 2016.

388.1810c Repealed. 2016, Act 249, Eff. Oct. 1, 2016.

Compiler's note: The repealed section pertained to transferability and applicability of associate of arts and associate of science degrees.

388.1810d Statewide reverse transfer agreements.

Sec. 210d. Community colleges are encouraged to work with public universities in the state to implement statewide reverse transfer agreements to increase the number of students that are awarded credentials of value upon completion of the necessary credits. These statewide agreements shall enable students who have earned a significant number of credits at a community college and transferred to a baccalaureate-granting institution before completing a degree to transfer the credits earned at the baccalaureate institution back to the community college in order to be awarded a credential of value.

History: Add. 2015, Act 85, Eff. Oct. 1, 2015.

388.1810e Report detailing number of academic program partnerships between public community colleges, public universities, and private colleges and universities.

Sec. 210e. By February 1, 2017, the Michigan Community College Association, the Michigan Association of State Universities, and the Michigan Independent Colleges and Universities, on behalf of their member colleges and universities, shall submit to the senate and house appropriations subcommittees on higher education, the senate and house appropriations subcommittees on community colleges, the senate and house fiscal agencies, and the state budget director a comprehensive report detailing the number of academic program partnerships between public community colleges, public universities, and private colleges and universities, including, but not limited to, the following information:

(a) The names of the baccalaureate degree programs of study offered by public and private universities on community college campuses.

(b) The names of the articulation agreements for baccalaureate degree programs of study between public community colleges, public universities, and private colleges and universities.

(c) The number of students enrolled and number of degrees awarded through articulation agreements, and the number of courses offered, number of students enrolled, and number of degrees awarded through on-campus programs named in subdivision (a) from July 1, 2015 through June 30, 2016.

History: Add. 2016, Act 249, Eff. Oct. 1, 2016.

388.1811 Repealed. 2012, Act 201, Eff. Oct. 1, 2012.

Compiler's note: The repealed section pertained to duties of community colleges.

388.1812 Cost-containment measures and efficiencies.

Sec. 212. Community college districts are encouraged to evaluate and pursue efficiency and cost-containment measures that maximize state funding. Community colleges shall identify practices that increase efficiencies, including, but not limited to, establishing joint ventures, consolidating services, utilizing program collaborations, maximizing educational benefits through optimal class sizes and frequency of course offerings, increasing web-based instruction, eliminating low-enrollment and high-cost instructional programs, using self-insurance, practicing energy conservation, and utilizing group purchasing. Community colleges shall also review proposed capital outlay projects to increase coordination and utilization of new facilities, renovation projects, and technology improvements.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012;—Am. 2016, Act 249, Eff. Oct. 1, 2016.

388.1813 Repealed. 2015, Act 85, Eff. Oct. 1, 2015.

Compiler's note: The repealed section pertained to statewide reverse transfer agreements.

388.1814 Repealed. 2012, Act 201, Eff. Oct. 1, 2012.

Compiler's note: The repealed section pertained to developmental courses and common set of scores to determine placement.

388.1816 Repealed. 2013, Act 60, Eff. Oct. 1, 2013.

Compiler's note: The repealed section pertained to legislative intent to review statutory mandates.

388.1817 Duties of center; activities classification structure advisory committee.

Sec. 217. (1) The center shall do all of the following:

(a) Establish, maintain, and coordinate the state community college database commonly known as the "activities classification structure" or "ACS" database.

(b) Collect data concerning community colleges and community college programs in this state, including data required by law.

(c) Establish procedures to ensure the validity and reliability of the data and the collection process.

(d) Develop model data collection policies, including, but not limited to, policies that ensure the privacy of any individual student data. Privacy policies shall ensure that student social security numbers are not released to the public for any purpose.

(e) Provide data in a useful manner to allow state policymakers and community college officials to make informed policy decisions.

(f) Assist community colleges in complying with audits under this section or federal law.

(2) There is created within the center the activities classification structure advisory committee. The committee shall provide advice to the director of the center regarding the management of the state community college database, including, but not limited to:

(a) Determining what data are necessary to collect and maintain to enable state and community college officials to make informed policy decisions.

(b) Defining the roles of all stakeholders in the data collection system.

(c) Recommending timelines for the implementation and ongoing collection of data.

(d) Establishing and maintaining data definitions, data transmission protocols, and system specifications and procedures for the efficient and accurate transmission and collection of data.

(e) Establishing and maintaining a process for ensuring the accuracy of the data.

(f) Establishing and maintaining policies related to data collection, including, but not limited to, privacy policies related to individual student data.

(g) Ensuring that the data are made available to state policymakers and citizens of this state in the most useful format possible.

(h) Addressing other matters as determined by the director of the center or as required by law.

(3) The activities classification structure advisory committee created in subsection (2) shall consist of the

following members:

- (a) One representative from the house fiscal agency, appointed by the director of the house fiscal agency.
- (b) One representative from the senate fiscal agency, appointed by the director of the senate fiscal agency.
- (c) One representative from the workforce development agency, appointed by the director of the workforce development agency.
- (d) One representative from the center appointed by the director of the center.
- (e) One representative from the state budget office, appointed by the state budget director.
- (f) One representative from the governor's policy office, appointed by that office.
- (g) Four representatives of the Michigan Community College Association, appointed by the president of the association. From the groupings of community colleges given in table 17 of the activities classification structure database described in subsection (1), the association shall appoint 1 representative each from group 1, group 2, and group 3, and 1 representative from either group 3 or 4.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012;—Am. 2014, Act 196, Eff. Oct. 1, 2014;—Am. 2015, Act 85, Eff. Oct. 1, 2015;—Am. 2016, Act 249, Eff. Oct. 1, 2016.

388.1818 Credit hours of student incarcerated in Michigan penal institution; exclusion from enrollment data.

Sec. 218. Community colleges shall not include in the enrollment data reported for determining state aid under this article any student credit hours or student contact hours for a student incarcerated in a Michigan penal institution. Exclusion of these students is intended to avoid the payment of state aid under this article for the same individuals for whom reimbursement is provided by the state correctional system.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012.

388.1819 Statewide P-20 education longitudinal data system; inclusion of information from each community college.

Sec. 219. By October 15 of each year, each community college shall provide its longitudinal data system data set for the preceding academic year to the center for inclusion in the statewide P-20 education longitudinal data system described in section 94a.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012;—Am. 2016, Act 249, Eff. Oct. 1, 2016.

388.1820 Performance audits.

Sec. 220. (1) The auditor general or a certified public accountant appointed by the auditor general may conduct performance audits of community colleges as the auditor general considers necessary.

(2) Within 60 days after an audit report is released by the office of the auditor general, the principal executive officer of the community college that was audited shall submit to the house and senate appropriations committees, the house and senate fiscal agencies, the auditor general, and the state budget director a plan to comply with audit recommendations. The plan shall contain projected dates and resources required, if any, to achieve compliance with the audit recommendations, or a documented explanation of the college's noncompliance with the audit recommendations concerning the matters on which the audited community college and office of the auditor general disagree.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012;—Am. 2016, Act 249, Eff. Oct. 1, 2016.

388.1821 Document retention.

Sec. 221. (1) A community college shall retain certified class summaries, class lists, registration documents, and student transcripts that are consistent with the taxonomy of courses. For each enrollment period during the fiscal year, these certified documents shall identify clearly by course the number of in-district and out-of-district student credit and contact hours. The class summaries and class lists shall be consistent with each other and shall include the course prefix and numbers, course title, course credit and contact hours, credit and contact hours generated by each student, and activity classifications consistent with the taxonomy. An auditable process shall be used by the community college to determine the unduplicated head count for in-district students, out-of-district students, and prisoners for each enrollment period during the fiscal year.

(2) A community college shall retain all contracts between the community college and agencies that reimburse the community college for the costs of instruction for audit purposes.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012.

388.1822 Annual independent audit.

Sec. 222. Each community college shall have an annual audit of all income and expenditures performed by

an independent auditor and shall furnish the independent auditor's management letter and an annual audited accounting of all general and current funds income and expenditures including audits of college foundations to the members of the senate and house appropriations subcommittees on community colleges, the senate and house fiscal agencies, the auditor general, the workforce development agency, the center, and the state budget director before November 15 of each year. If a community college fails to furnish the audit materials, the monthly state aid installments shall be withheld from that college until the information is submitted. All reporting shall conform to the requirements set forth in the "2001 Manual for Uniform Financial Reporting, Michigan Public Community Colleges". A community college shall make the information the community college is required to provide under this section available to the public on its website.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012;—Am. 2015, Act 85, Eff. Oct. 1, 2015;—Am. 2016, Act 249, Eff. Oct. 1, 2016.

388.1823 Report on North American Indian tuition waivers.

Sec. 223. (1) By February 15 of each year, the department of civil rights shall annually submit to the state budget director, the house and senate appropriations subcommittees on community colleges, and the house and senate fiscal agencies a report on North American Indian tuition waivers for the preceding fiscal year that includes, but is not limited to, all of the following information:

- (a) The number of waiver applications received and the number of waiver applications approved.
- (b) For each community college submitting information under subsection (2), all of the following:
 - (i) The number of North American Indian students enrolled each term for the previous fiscal year.
 - (ii) The number of North American Indian waivers granted each term and the monetary value of the waivers for the previous fiscal year.
 - (iii) The number of students attending under a North American Indian tuition waiver who withdrew from the college during the previous fiscal year.
 - (iv) The number of students attending under a North American Indian tuition waiver who successfully complete a degree or certificate program, separated by degree or certificate level, and the graduation rate for students attending under a North American Indian tuition waiver who complete a degree within 150% of the normal time to complete, separated by the level of the degree.

(2) A community college that receives funds under section 201 shall provide to the department of civil rights any information necessary for preparing the report described in subsection (1), using guidelines and procedures developed by the department of civil rights.

(3) The department of civil rights may consolidate the report required under this section with the report required under section 268, but a consolidated report must separately identify data for universities and data for community colleges.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012;—Am. 2016, Act 249, Eff. Oct. 1, 2016.

388.1824 Aggregate academic status of students; use of P-20 longitudinal data system.

Sec. 224. A community college shall use the P-20 longitudinal data system to inform interested Michigan high schools and the public of the aggregate academic status of its students for the previous academic year, in a manner prescribed by the Michigan Community College Association and in cooperation with the Michigan Association of Secondary School Principals. Community colleges shall cooperate with the center to maintain a systematic approach for accomplishing this work.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012;—Am. 2013, Act 60, Eff. Oct. 1, 2013;—Am. 2014, Act 196, Eff. Oct. 1, 2014;—Am. 2016, Act 249, Eff. Oct. 1, 2016.

388.1825 Tuition and mandatory fees; report; cost of attendance; revisions.

Sec. 225. Each community college shall report to the house and senate fiscal agencies, the state budget director, and the center by August 31, 2016, the tuition and mandatory fees paid by a full-time in-district student and a full-time out-of-district student as established by the college governing board for the 2016-2017 academic year. This report should also include the annual cost of attendance based on a full-time course load of 30 credits. Each community college shall also report any revisions to the reported 2016-2017 academic year tuition and mandatory fees adopted by the college governing board to the house and senate fiscal agencies, the state budget director, and the center within 15 days of being adopted.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Imd. Eff. June 26, 2012;—Am. 2013, Act 60, Eff. Oct. 1, 2013;—Am. 2014, Act 196, Eff. Oct. 1, 2014;—Am. 2015, Act 85, Eff. Oct. 1, 2015;—Am. 2016, Act 249, Eff. Oct. 1, 2016.

388.1826 Associate degrees and certificates; report on numbers and type to center.

Sec. 226. Each community college shall report to the center the numbers and type of associate degrees and

other certificates awarded during the previous fiscal year. The report shall be made not later than November 15 of each year. Community colleges shall work with the center to develop a systematic approach for meeting this requirement.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012;—Am. 2015, Act 85, Eff. Oct. 1, 2015;—Am. 2016, Act 249, Eff. Oct. 1, 2016.

388.1827 Vehicles manufactured outside United States.

Sec. 227. A community college shall not use funds appropriated in section 201 to enter into a lease for, or to purchase, a vehicle assembled or manufactured outside of the United States if competitively priced and comparable quality vehicles made in the state of Michigan or elsewhere in the United States of America are available.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012.

388.1828 Communication of employee with member of legislature or staff.

Sec. 228. A community college shall not take disciplinary action against an employee for communicating with a member of the legislature or the legislator's staff.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012.

388.1829 Applicant as veteran, current member of armed forces, or spouse or dependent; question; review of in-district tuition issue; "veteran" defined.

Sec. 229. (1) Each community college that receives an appropriation in section 201 is expected to include in its admission application process a specific question as to whether an applicant for admission has ever served or is currently serving in the United States armed forces or is the spouse or dependent of an individual who has served or is currently serving in the United States armed forces, in order to more quickly identify potential educational assistance available to that applicant.

(2) It is expected that each public community college that receives an appropriation in section 201 shall work with the house and senate community college subcommittees, the Michigan Community College Association, and veterans groups to review the issue of in-district tuition for veterans of this state when determining tuition rates and fees.

(3) As used in this section, "veteran" means an honorably discharged veteran entitled to educational assistance under the provisions of section 5003 of the post-911 veterans educational assistance act of 2008, 38 USC 3301 to 3325.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012;—Am. 2013, Act 60, Eff. Oct. 1, 2013;—Am. 2014, Act 196, Eff. Oct. 1, 2014;—Am. 2015, Act 85, Eff. Oct. 1, 2015.

388.1829a Capital projects.

Sec. 229a. Included in the fiscal year 2016-2017 appropriations for the department of technology, management, and budget are appropriations totaling \$30,879,600.00 to provide funding for the state share of costs for previously constructed capital projects for community colleges. Those appropriations for state building authority rent represent additional state general fund support for community colleges, and the following is an estimate of the amount of that support to each community college:

- (a) Alpena Community College, \$632,500.00.
- (b) Bay de Noc Community College, \$685,100.00.
- (c) Delta College, \$3,360,600.00.
- (d) Glen Oaks Community College, \$124,500.00.
- (e) Gogebic Community College, \$56,700.00.
- (f) Grand Rapids Community College, \$2,083,500.00.
- (g) Henry Ford College, \$1,040,300.00.
- (h) Jackson College, \$2,273,800.00.
- (i) Kalamazoo Valley Community College, \$2,030,900.00.
- (j) Kellogg Community College, \$526,200.00.
- (k) Kirtland Community College, \$367,300.00.
- (l) Lake Michigan College, \$344,100.00.
- (m) Lansing Community College, \$1,154,600.00.
- (n) Macomb Community College, \$1,715,700.00.
- (o) Mid Michigan Community College, \$1,634,300.00.
- (p) Monroe County Community College, \$1,278,100.00.
- (q) Montcalm Community College, \$982,600.00.

- (r) C.S. Mott Community College, \$1,497,600.00.
- (s) Muskegon Community College, \$623,500.00.
- (t) North Central Michigan College, \$417,900.00.
- (u) Northwestern Michigan College, \$1,320,600.00.
- (v) Oakland Community College, \$470,500.00.
- (w) Schoolcraft College, \$1,564,400.00.
- (x) Southwestern Michigan College, \$574,800.00.
- (y) St. Clair County Community College, \$360,200.00.
- (z) Washtenaw Community College, \$1,696,000.00.
- (aa) Wayne County Community College, \$1,479,400.00.
- (bb) West Shore Community College, \$583,900.00.

History: Add. 2012, Act 201, Eff. Oct. 1, 2012;—Am. 2013, Act 60, Eff. Oct. 1, 2013;—Am. 2014, Act 196, Eff. Oct. 1, 2014;—Am. 2015, Act 85, Eff. Oct. 1, 2015;—Am. 2016, Act 249, Eff. Oct. 1, 2016.

388.1829b Repealed. 2014, Act 196, Eff. Oct. 1, 2014.

Compiler's note: The repealed section pertained to providing accurate information on student educational outcomes in employment market.

388.1830 Community college operations; performance funding; distribution; formula; meeting best practice measures; resolution; categories of best practices; payments; condition.

Sec. 230. (1) Money included in the appropriations for community college operations under section 201(2) in fiscal year 2016-2017 for performance funding is distributed based on the following formula:

- (a) Allocated proportionate to fiscal year 2015-2016 base appropriations, 30%.
- (b) Based on a weighted student contact hour formula as provided for in the 2016 recommendations of the performance indicators task force, 30%.
- (c) Based on the performance improvement as provided for in the 2016 recommendations of the performance indicators task force, 10%.
- (d) Based on the performance completion number as provided for in the 2016 recommendations of the performance indicators task force, 10%.
- (e) Based on the performance completion rate as provided for in the 2016 recommendations of the performance indicators task force, 10%.
- (f) Based on administrative costs, 5%.
- (g) Based on the local strategic value component, as developed in cooperation with the Michigan Community College Association and described in subsection (2), 5%.

(2) Money included in the appropriations for community college operations under section 201(2) for local strategic value shall be allocated to each community college that certifies to the state budget director, through a board of trustees resolution on or before October 15, 2016, that the college has met 4 out of 5 best practices listed in each category described in subsection (3). The resolution shall provide specifics as to how the community college meets each best practice measure within each category. One-third of funding available under the strategic value component shall be allocated to each category described in subsection (3). Amounts distributed under local strategic value shall be on a proportionate basis to each college's fiscal year 2015-2016 operations funding. Payments to community colleges that qualify for local strategic value funding shall be distributed with the November installment payment described in section 206.

(3) For purposes of subsection (2), the following categories of best practices reflect functional activities of community colleges that have strategic value to the local communities and regional economies:

- (a) For Category A, economic development and business or industry partnerships, the following:
 - (i) The community college has active partnerships with local employers including hospitals and health care providers.
 - (ii) The community college provides customized on-site training for area companies, employees, or both.
 - (iii) The community college supports entrepreneurship through a small business assistance center or other training or consulting activities targeted toward small businesses.
 - (iv) The community college supports technological advancement through industry partnerships, incubation activities, or operation of a Michigan technical education center or other advanced technology center.
 - (v) The community college has active partnerships with local or regional workforce and economic development agencies.
- (b) For Category B, educational partnerships, the following:
 - (i) The community college has active partnerships with regional high schools, intermediate school districts,

and career-tech centers to provide instruction through dual enrollment, concurrent enrollment, direct credit, middle college, or academy programs.

(ii) The community college hosts, sponsors, or participates in enrichment programs for area K-12 students, such as college days, summer or after-school programming, or Science Olympiad.

(iii) The community college provides, supports, or participates in programming to promote successful transitions to college for traditional age students, including grant programs such as talent search, upward bound, or other activities to promote college readiness in area high schools and community centers.

(iv) The community college provides, supports, or participates in programming to promote successful transitions to college for new or reentering adult students, such as adult basic education, a high school equivalency test preparation program and testing, or recruiting, advising, or orientation activities specific to adults. As used in this subparagraph, "high school equivalency test preparation program" means that term as defined in section 4.

(v) The community college has active partnerships with regional 4-year colleges and universities to promote successful transfer, such as articulation, 2+2, or reverse transfer agreements or operation of a university center.

(c) For Category C, community services, the following:

(i) The community college provides continuing education programming for leisure, wellness, personal enrichment, or professional development.

(ii) The community college operates or sponsors opportunities for community members to engage in activities that promote leisure, wellness, cultural or personal enrichment such as community sports teams, theater or musical ensembles, or artist guilds.

(iii) The community college operates public facilities to promote cultural, educational, or personal enrichment for community members, such as libraries, computer labs, performing arts centers, museums, art galleries, or television or radio stations.

(iv) The community college operates public facilities to promote leisure or wellness activities for community members, including gymnasiums, athletic fields, tennis courts, fitness centers, hiking or biking trails, or natural areas.

(v) The community college promotes, sponsors, or hosts community service activities for students, staff, or community members.

(4) Payments for performance funding under section 201(2) shall be made to a community college only if that community college actively participates in the Michigan Transfer Network sponsored by the Michigan Association of Collegiate Registrars and Admissions Officers and submits timely updates, including updated course equivalencies at least every 6 months, to the Michigan transfer network. The state budget director shall determine if a community college has not satisfied this requirement. The state budget director may withhold payments for performance funding until a community college is in compliance with this section.

History: Add. 2011, Act 62, Eff. Oct. 1, 2011;—Am. 2012, Act 201, Eff. Oct. 1, 2012;—Am. 2013, Act 60, Eff. Oct. 1, 2013;—Am. 2014, Act 196, Eff. Oct. 1, 2014;—Am. 2015, Act 85, Eff. Oct. 1, 2015;—Am. 2016, Act 56, Eff. June 27, 2016;—Am. 2016, Act 249, Eff. Oct. 1, 2016.

388.1830a Repealed. 2016, Act 249, Eff. Oct. 1, 2016.

Compiler's note: The repealed section pertained to review, evaluation, discussion, and recommendation regarding performance indicators.